

MACOMB TOWNSHIP BOARD OF TRUSTEES REGULAR MEETING HELD ON
WEDNESDAY FEBRUARY 26, 2003
AT 7:00 P.M.

LOCATION: MACOMB TOWNSHIP MEETING CHAMBERS
54111 BROUGHTON ROAD
MACOMB, MICHIGAN 48042

PRESENT: JOHN D. BRENNAN, SUPERVISOR
MICHAEL KOEHS, CLERK
MARIE MALBURG, TREASURER
TRUSTEES: JANET DUNN
KENNETH MEERSCHAERT, JR.
DINO F. BUCCI, JR.

ABSENT: CHARLES OLIVER.

Also in attendance: Larry Dloski, Township Attorney
Jerome R. Schmeiser, Community Planning Consultant
James Van Tiflin, Project Manager for Spalding & DeDecker
Associates. (Additional attendance record on file with Clerk)
James Gelios, Township Deputy Clerk

Call Meeting to Order

1. Roll Call

Clerk Koehs called the Roll Call. Charles Oliver absent.

MOTION by DUNN seconded by BUCCI to move that the name Charles Oliver, Trustee Member will not be called for all future motions and or Roll Calls.

MOTION carried.

2. PLEDGE OF ALLEGIANCE

3. Approval of Agenda Items (with any addendums)

MOTION by DUNN seconded by MALBURG to approve the amended agenda as discussed.

MOTION carried.

4. Approval of Bills

MOTION by BUCCI seconded by KOEHS to approve the Bills as submitted.

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MOTION carried.

5. Approval of Meeting Minutes

MOTION by KOEHS seconded by OLIVER to approve the revised meeting minutes of February 12, 2003 as submitted.

MOTION carried.

6. Department Monthly Reports
- a. Macomb County Sheriffs Department
 - b. Building Department
 - c. Fire Department
 - d. Water/Sewer Department
 - e. Parks and Recreation Department

MOTION by DUNN seconded by KOEHS to approve the Department Monthly Reports as a consent agenda item.

MOTION carried.

7. Public Comments (Non Agenda items only - 3 minute time limit)

Jeffery Berz, 52000 Hayes Road, Macomb Michigan. Mr. Berz held a detailed discussion regarding the Adult Care facility adjacent to his residence. Mr. Berz stated the previous and current problems from the facility and stated how it is affecting his surrounding residence. Supervisor BRENNAN reviewed the history of the facility. Mr. BRENNAN stated that the Township will do what they can to help in the matter.

PUBLIC HEARING:

8. Cambridge Commons Subdivision No. 2 Street Lighting; Located south of 23 Mile Road and approximately 3400 feet east of Romeo Plank Road.
Permanent Parcel No. 08-21-200-001.

Supervisor BRENNAN opened the Public Hearing at 7:10 P.M.

Public Portion: Hans Dieter Featherman, 19623 Stratford, Macomb Michigan. Mr. Featherman expressed his concerns with Supervisor BRENNAN regarding the procedure for street lighting requests. Margaret Broadbridge, 50903 Alden Drive, Macomb Michigan. Mrs. Broadbridge stated her recommendation in favor of the street lighting request. Paul Toutant, 19634 Cambridge Drive East, Macomb Michigan. Mr. Toutant lives in Cambridge Commons Subdivision No. 1 and had received a notice of Public Hearing for Cambridge Commons No. 2. Mr. BRENNAN stated when the mailing labels

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were processed by the Assessing Department they may have inadvertently included Cambridge Common No. 1 for notification of what will occur for Cambridge Commons No. 2.

MOTION by KOEHS seconded by MEERSCHAERT to close the public hearing at 7:18 P.M. for the Cambridge Commons Subdivision No. 2 Street Lighting; Located south of 23 Mile Road and approximately 3400 feet east of Romeo Plank Road. Permanent Parcel No. 08-21-200-001.

MOTION carried.

MOTION by DUNN seconded by MEERSCHAERT to adopt the resolution number 2 for the Cambridge Commons Subdivision No. 2 Street Lighting; Located south of 23 Mile Road and approximately 3400 feet east of Romeo Plank Road. Permanent Parcel No. 08-21-200-001 as follows:

SAD, Street Lighting Cambridge Commons Subdivision No. 2

RESOLUTION ORDERING ESTABLISHMENT

OF STREET LIGHTING DISTRICT

Minutes of a regular meeting of the Township Board of the Township of Macomb, County of Macomb, Michigan, held in the Township Hall in said Township on February 26, 2003, at 7:00 P.M., Eastern Standard Time.

PRESENT: John D. Brennan, Michael D. Koehs, Marie E. Malburg, Janet Dunn, Kenneth Meerschaert, Jr., Dino F. Bucci, Jr.

ABSENT: Charles Oliver.

The following preamble and resolution were offered by Member DUNN and supported by Member MEERSCHAERT.

WHEREAS, pursuant to 1989 PA 80 (the "Act"), the Township Board is empowered to establish a Special Assessment for the installation and maintenance of street lighting on its motion or upon the submission of petitions as prescribed in the Act; and

WHEREAS, the Township Board has determined that the installation of a street light or lights illuminating street serving lands described in Exhibit "A" is necessary to preserve the public health; and

WHEREAS, the Township Board desires to establish a Special Assessment District obligating the benefited owners to pay for the cost of installation and operation of street lighting; and

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WHEREAS, a public hearing for the establishment of a Special Assessment District for street lighting was held coincident with this meeting and was prefaced by published and mailed notice as required by the Act and 1962 PA 162.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP BOARD OF THE TOWNSHIP OF MACOMB, MACOMB COUNTY, MICHIGAN:

1. It is hereby directed that a street light or lights shall be installed at Cambridge Commons Subdivision No. 2, which will illuminate streets, serving and benefiting the lot(s) and/or parcel(s) of land described in Exhibit "A".
2. A Special Assessment District consisting of the lot(s) and parcel(s) described in Exhibit "A" is hereby established and the cost for installation of said street lights(s) and all future electrical service be levied against the parcel(s) and/or lot(s) so described in direct proportion to the benefit conferred.
3. The initial installation shall equal the sum of \$4,182.84 together with the first annual electrical service charge in the amount of \$1,482.84, the Township's at-large contribution is \$0.00.
4. The Township Board shall hereafter annually determine the amount to be assessed in the district for lighting and shall direct the assessor to levy this amount. The assessment may be made either in a special assessment roll or in a column provided in the regular tax roll. The assessment shall be spread and become due and be collected at the same time as the other Township taxes are assessed, levied and collected and shall be returned in the same manner for nonpayment.

**AYES: DUNN, MEERSCHAERT, BUCCI, MALBURG, KOEHS,
BRENNAN.**

NAYS: NONE.

ABSENT: OLIVER.

RESOLUTION DECLARED ADOPTED.

Michael D. Koehs
Macomb Township Clerk

SAD, Street Lighting, Cambridge Commons Subdivision No. 2

EXHIBIT "A"

LEGAL DESCRIPTION OF

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SPECIAL ASSESSMENT LIGHTING DISTRICT

Cambridge Commons No. 2, being a part of the N.E. ¼ of Section 21, T.3N., R.13., Macomb Township, Macomb County, Michigan being described as:

Beginning at the North ¼ corner of said Section 21; thence N.87°49'29" E. 334.36 feet along the North line of said Section 21; thence S.01°53'36" E. 2665.58 feet to the East-West ¼ line of said Section 21; thence S.87°53'53"W. 334.33 feet along the East-West ¼ line of said Section 21 to the Center Post of said Section 21; thence N.01°53'39"W. 2665.16 feet along the North-South ¼ line of said Section 21, also being the east line of the "Cambridge Commons Subdivision" as recorded in liber 113 of Plats, pages 29 thru 33 inclusive, Macomb County Records, to the point of beginning, containing 57 lots, numbered 130 thru 186, inclusive and containing 20.46 acres, more or less.

Pre-Printed Portion of document
drafted by:

Lawrence W. Dloski
ANTHONY, SEIBERT AND DLOSKI, PLLC
59 N. Walnut, 202 Vicant Building
Mt. Clemens, MI 48043

AFTER RECORDING RETURN TO:

Michael D. Koehs
Macomb Township Clerk
54111 Broughton Road
Macomb, MI 48042

MOTION carried.

9. Macomb Corporate Center establishment of the Industrial Development District for lots: 11 12, and 13. Donald and Kevin West, Petitioner. Permanent Parcel Nos. 08-20-102-006, 005 and 004.

Supervisor BRENNAN reviewed the request.
Public Portion: None.

Petitioner: Eric Flynn, representative present.

MOTION by DUNN seconded by MEERSCHAERT to approve the Macomb Corporate Center establishment of the Industrial Development District for lots: 11 12, and 13. Donald and Kevin West, Petitioner. Permanent Parcel Nos. 08-20-102-006, 005 and 004 as follows:

FOR THIS MOTION: DUNN, MEERSCHAERT, BUCCI, MALBURG, KOEHS, BRENNAN.

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ABSENT: OLIVER

OPPOSED: NONE.

RESOLUTION

Minutes of a Regular meeting of the Township Board of the Township of Macomb, County of Macomb, Michigan, held in the Township Hall in said Township on February 26, 2003 at 7:00 P.M. Eastern Standard Time.

PRESENT: John D. Brennan, Michael D. Koehs, Marie E. Malburg, Dino F. Bucci, Jr., Janet Dunn, Kenneth Meerschaert, Jr.

ABSENT: Charles Oliver.

The following preamble and resolution were offered by Member DUNN and supported by Member MEERSCHAERT.

WHEREAS, Donald and Kevin West, as individuals, have petitioned the Macomb Township Board for the creation of an Industrial Development District pursuant to the provisions of Act 198, Public Acts of 1974, as amended, within the unincorporated area of the Township; and,

WHEREAS, the Township of Macomb is a local governmental unit which levies ad valorem taxes at a rate which, when taken together with rates of ad valorem taxes levied by other taxing authorities which levy taxes within the Township of Macomb, equals or exceeds Thirty and 00/100 Dollars (\$30.00) for each One Thousand and 00/100 Dollars (\$1,000.00) of state equalized valuation, and thus qualifies as a local governmental unit empowered to establish an Industrial Development District pursuant to Act 198, supra; and,

WHEREAS, the Township Board has established **February 26, 2003**, at 7:00 P.M. as the date and time and the Township Offices located at 54111 Broughton Road, Macomb, Michigan 48042, as the place for holding of a public hearing on the question of whether an Industrial Development District should be established pursuant to the petition of Don and Kevin West; and,

WHEREAS, the Township Board has given written notice of said hearing by certified mail to the owner of all real property within the proposed Industrial Development District, and

WHEREAS, the Township Board has heard the comments of the owners of said land and other residents who have elected to communicate with the Township Board concerning the creation of an Industrial Development District, as herein contemplated; and,

WHEREAS, the Township Board has determined that the request for establishment of the Industrial Development District was filed prior to the commencement of construction;

NOW, THEREFORE, BE IT RESOLVED by the Township Board of the Township of Macomb, Macomb County, Michigan:

1. That the Township Board hereby deems the establishment of an Industrial District as proposed by Don and Kevin West to be beneficial to the residents of the Township of

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Macomb, further, said District will result in increased employment and an eventual and substantial increase in state equalized valuation of the Township of Macomb;

2. That an Industrial Development District is hereby established pursuant to the provisions of Act 198, Public Acts of 1974, as amended, the boundaries of said district being solely confined to the following described lands:

Lots 11, 12 and 13 of Macomb Corporate Center Subdivision, according to the plat thereof as recorded in Liber 135, pages 28, 29, 30 and 31 of Plats, Macomb County Records

**AYES: DUNN, MEERSCHAERT, BUCCI, MALBURG, KOEHS,
BRENNAN.**

NAYS: NONE.

ABSENT: OLIVER.

RESOLUTION DECLARED ADOPTED.

Michael D. Koehs
Macomb Township Clerk

CERTIFICATE OF CLERK

I hereby certify that the attached constitutes a true and complete copy of a resolution adopted by the Township Board of the Township of Macomb, County of Macomb, State of Michigan, at a regular meeting held on **February 26, 2003**, and that public notice of said meeting was given pursuant to Act 267, Public Acts of Michigan, 1976, including in the case of a special or rescheduled meeting notice by publication or posting at least eighteen (18) hours prior to the time set for the meeting.

Michael D. Koehs
Macomb Township Clerk

MOTION carried.

PLANNING COMMISSION:

10. Request to Adopt Speculative Building Resolution for lots: 11, 12 and 13 of Macomb Corporate Center. Donald and Kevin West, Petitioner. Permanent Parcel Nos. 08-20-102-006,005 and 004.

Supervisor BRENNAN reviewed the request.

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Public Portion: None.

Petitioner: Eric Flynn, representative present.

MOTION by DUNN seconded by MEERSHCAERT to adopt the Speculative Building Resolution for lot: 11, of Macomb Corporate Center. Donald and Kevin West, Petitioner. Permanent Parcel Nos. 08-20-102-006,005 and 004 as follows:

FOR THIS MOTION: MALBURG, DUNN, MEERSCHAERT, BUCCI, KOEHS, BRENNAN.

ABSENT: OLIVER

OPPOSED: NONE

RESOLUTION DESIGNATING SPECULATIVE BUILDING FOR LOT 11 OF THE
MACOMB CORPORATE CENTER SUBDIVISION

Minutes of a regular meeting of the Township Board of the Township of Macomb, County of Macomb, Michigan, held in the Township Hall in said Township on **February 26, 2003**, at 7:00 o'clock P.M. Eastern Standard Time.

PRESENT: John D. Brennan, Michael D. Koehs, Marie E. Malburg, Dino F. Bucci, Jr., Janet Dunn, Kenneth Meerschaert, Jr.

ABSENT: Charles Oliver.

The following preamble and resolution were offered by Member DUNN and supported by Member MEERSCHAERT.

WHEREAS, Donald West and Kevin West as joint tenants with full rights as survivorship ("Petitioner") are the owners of land in the Township of Macomb, Macomb County, Michigan, more particularly described as Lot 11 of Macomb Corporate Center Subdivision according to the plat thereof as recorded in Liber 135, Pages 28 through 31 of plats, Macomb County Records (the "Land"); and

WHEREAS, on **February 26, 2003**, the Township Board established an Industrial Development District pursuant to 1974 PA 198 upon the request of the petitioner, and

WHEREAS, Petitioner has constructed an industrial building on the Land and has requested the Township Board approve said structure as a Speculative Building as defined in Section 3(8) and upon the conditions as set forth in Section 9(4) of Act 198 supra; and

WHEREAS, after examining Petition and being cognizant of the location and character of the structure, the Township Board is desirous of granting said Petition.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP BOARD OF THE
TOWNSHIP OF MACOMB, MACOMB COUNTY, MICHIGAN THAT:

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1. The Application of the petitioner is hereby declared and approved as a Speculative Building pursuant to the provisions of 1974 PA 198.
2. The building is constructed for the purpose of providing a manufacturing facility before the identification of a specific user of that building.
3. The building does not qualify as a replacement facility.
4. The building has never been occupied or used for any purpose since construction.

AYES: DUNN, MEERSCHAERT, BUCCI, MALBURG, KOEHS, BRENNAN.

NAYS: NONE

ABSENT: CHARLES OLIVER.

RESOLUTION DECLARED ADOPTED.

Michael D. Koehs
Macomb Township Clerk

MOTION carried.

MOTION by DUNN seconded by BUCCI to adopt the Speculative Building Resolution for lot: 12, of Macomb Corporate Center. Donald and Kevin West, Petitioner. Permanent Parcel Nos. 08-20-102-006,005 and 004 as follows:

FOR THIS MOTION: DUNN, BUCCI, MEERSCHAERT, MALBURG, KOEHS, BRENNAN.

ABSENT: OLIVER

OPPOSED: NONE

**RESOLUTION DESIGNATING SPECULATIVE BUILDING FOR LOT 12 OF THE
MACOMB CORPORATE CENTER SUBDIVISION**

Minutes of a regular meeting of the Township Board of the Township of Macomb, County of Macomb, Michigan, held in the Township Hall in said Township on **February 26, 2003**, at 7:00 o'clock P.M. Eastern Standard Time.

PRESENT: John D. Brennan, Michael D. Koehs, Marie E. Malburg, Dino F. Bucci, Jr., Janet Dunn, Kenneth Meerschaert, Jr.

ABSENT: Charles Oliver.

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The following preamble and resolution were offered by Member DUNN and supported by Member BUCCI.

WHEREAS, Donald West and Kevin West as joint tenants with full rights as survivorship ("Petitioner") are the owners of land in the Township of Macomb, Macomb County, Michigan, more particularly described as Lot 12 of Macomb Corporate Center Subdivision according to the plat thereof as recorded in Liber 135, Pages 28 through 31 of plats, Macomb County Records (the "Land"); and

WHEREAS, on **February 26, 2003**, the Township Board established an Industrial Development District pursuant to 1974 PA 198 upon the request of the petitioner; and

WHEREAS, Petitioner is constructing an industrial building on the Land and has requested the Township Board approve said structure as a Speculative Building as defined in Section 3(8) and upon the conditions as set forth in Section 9(4) of Act 198 supra; and

WHEREAS, after examining Petition and being cognizant of the location and character of the structure, the Township Board is desirous of granting said Petition.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP BOARD OF THE TOWNSHIP OF MACOMB, MACOMB COUNTY, MICHIGAN THAT:

1. The Application of the petitioner is hereby declared and approved as a Speculative Building pursuant to the provisions of 1974 PA 198.
2. The building is constructed for the purpose of providing a manufacturing facility before the identification of a specific user of that building.
4. The building does not qualify as a replacement facility.
5. The building has never been occupied or used for any purpose since construction.

**AYES: DUNN, BUCCI, MEERSCHAERT, MALBURG, KOEHS,
BRENNAN**

NAYS: NONE.

ABSENT: OLIVER.

RESOLUTION DECLARED ADOPTED.

MOTION carried.

Michael D. Koehs
Macomb Township Clerk

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MOTION by DUNN seconded by MEERSCHAERT to adopt the Speculative Building Resolution for lot: 13, of Macomb Corporate Center. Donald and Kevin West, Petitioner. Permanent Parcel Nos. 08-20-102-006,005 and 004 as follows:

FOR THIS MOTION: DUNN, MEERSCHAERT, MALBURG, BUCCI, KOEHS, BRENNAN.

ABSENT: OLIVER

OPPOSED: NONE

RESOLUTION DESIGNATING SPECULATIVE BUILDING FOR LOT 13 OF THE
MACOMB CORPORATE CENTER SUBDIVISION

Minutes of a regular meeting of the Township Board of the Township of Macomb, County of Macomb, Michigan, held in the Township Hall in said Township on **February 26, 2003**, at 7:00 o'clock P.M. Eastern Standard Time.

PRESENT: John D. Brennan, Michael D. Koehs, Marie E. Malburg, Dino F. Bucci, Jr., Charles Oliver, Janet Dunn, Kenneth Meerschaert, Jr.

ABSENT: None.

The following preamble and resolution were offered by Member DUNN and supported by Member MEERSCHAERT.

WHEREAS, Donald West and Kevin West as joint tenants with full rights as survivorship ("Petitioner") are the owners of land in the Township of Macomb, Macomb County, Michigan, more particularly described as Lot 13 of Macomb Corporate Center Subdivision according to the plat thereof as recorded in Liber 135, Pages 28 through 31 of plats, Macomb County Records (the "Land"); and

WHEREAS, on **February 26, 2003**, the Township Board established an Industrial Development District pursuant to 1974 PA 198 upon the request of the petitioner; and

WHEREAS, Petitioner is constructing an industrial building on the Land and has requested the Township Board approve said structure as a Speculative Building as defined in Section 3(8) and upon the conditions as set forth in Section 9(4) of Act 198 supra; and

WHEREAS, after examining Petition and being cognizant of the location and character of the structure, the Township Board is desirous of granting said Petition.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP BOARD OF THE
TOWNSHIP OF MACOMB, MACOMB COUNTY, MICHIGAN THAT:

1. The Application of the petitioner is hereby declared and approved as a Speculative Building pursuant to the provisions of 1974 PA 198.

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2. The building is constructed for the purpose of providing a manufacturing facility before the identification of a specific user of that building.
3. The building does not qualify as a replacement facility.
4. The building has never been occupied or used for any purpose since construction.

**AYES: DUNN, MEERSCHAERT, MALBURG, BUCCI, KOEHS,
BRENNAN.**

NAYS: NONE.

ABSENT: OLIVER.

RESOLUTION DECLARED ADOPTED.

Michael D. Koehs
Macomb Township Clerk

MOTION carried.

11. Land Division Variance; Bellagio Subdivision; Located on the south side of 26 Mile Road and approximately ½ mile west of Romeo Plank Road; Franco Mancini, Petitioner. Permanent Parcel No. 08-06-200-046.

Jerome R. Schmeiser, Community Planning Consultant reviewed the request.

Public Portion: Kevin Karwowicz, 16630 Country Club Village, Macomb Michigan.
Mr. Karwowicz addressed his concerns regarding the traffic level increase, the entrance location, and held further discussion with the members of the Board.

Petitioner: Franco Mancini, present. Timothy Timilton, representative present.
Larry D'Loski, Township Attorney held a detailed discussion with the petitioners.

MOTION by KOEHS seconded by DUNN to approve the Land Division Variance Section 17-132 (d) request to eliminate the access to the west abutting properties; Bellagio Subdivision; Located on the south side of 26 Mile Road and approximately ½ mile west of Romeo Plank Road; Franco Mancini, Petitioner. Permanent Parcel No. 08-06-200-046.

MOTION carried.

MOTION by BUCCI seconded by MEERSCHAERT to approve the Land Division Variance Section 17-138 (c) allow the block length to west exceed 1320; Bellagio Subdivision; Located on the south side of 26 Mile Road and approximately ½ mile

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west of Romeo Plank Road; Franco Mancini, Petitioner. Permanent Parcel No. 08-06-200-046.

MOTION carried.

MOTION by KOEHS seconded by MEERSCHAERT to approve the Land Division Variance Section No. Block Length to the east ; Bellagio Subdivision; Located on the south side of 26 Mile Road and approximately ½ mile west of Romeo Plank Road; Franco Mancini, Petitioner. Permanent Parcel No. 08-06-200-046.

MOTION carried.

MOTION by DUNN seconded by MALBURG to deny the Land Division Variance stub street access on the east ; Bellagio Subdivision; Located on the south side of 26 Mile Road and approximately ½ mile west of Romeo Plank Road; Franco Mancini, Petitioner. Permanent Parcel No. 08-06-200-046.

MOTION carried.

12. Tentative Preliminary Plat; English Gardens Subdivision No. 2; Located on the east side of Romeo Plank and approximately 782 feet south of 26 Mile Road; Northern Macomb Development, Petitioner. Permanent Parcel No. 08-05-100-034.

Jerome R. Schmeiser, Community Planning Consultant reviewed the request.

Public Portion: None.

Petitioner: David Meckl, Fenn and Associates present.

MOTION by DUNN seconded by MALBURG to approve the Tentative Preliminary Plat; English Gardens Subdivision No. 2; Located on the east side of Romeo Plank and approximately 782 feet south of 26 Mile Road; Northern Macomb Development, Petitioner. Permanent Parcel No. 08-05-100-034.

MOTION carried.

13. Tentative Preliminary Plat; Golden Gate Subdivision; Located on the west side of Card Road approximately ¼ mile north of 22 Mile Road. Trilson Development Company L.L.C, Petitioner. Permanent Parcel No. 08-22-400-036.
- Jerome R. Schmeiser, Community Planning Consultant reviewed the request.

Public Portion: None.

Petitioner: Ken Robinson, 2207 Orchard Lake Road, Sylvan Lake Michigan present.

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MOTION by BUCCI seconded by MALBURG to approve Tentative Preliminary Plat; Golden Gate Subdivision; Located on the west side of Card Road approximately ¼ mile north of 22 Mile Road. Trilson Development Company L.L.C, Petitioner. Permanent Parcel No. 08-22-400-036. This approval is contingent upon the Final Plat not proceeding forward until the posting of the bond and or construction of the crossing for the Miller Drain in the Gateway Subdivision is complete.

MOTION carried.

14. Technical Change; Tesner Park Subdivision; 51 lots; Located on the southeast corner of Card Road and Brantingham Road. Vincent Milatello & Michael Aluia, Petitioner. Permanent Parcel No. 08-35-300-032 and 033.

Jerome R. Schmeiser, Community Planning Consultant reviewed the request.

Public Portion: None.

Petitioner: Thomas Kellogg, Lehr & Associates representative present.

MOTION by KOEHS seconded by MALBURG to approve the Technical Change; Tesner Park Subdivision; 51 lots; Located on the southeast corner of Card Road and Brantingham Road. Vincent Milatello & Michael Aluia, Petitioner. Permanent Parcel No. 08-35-300-032 and 033. This motion is contingent upon that no future approvals being granted until the Circuit Court Issues are resolved.

MOTION carried.

OLD BUSINESS:

15. Request for Release of Temporary Occupancy Bond; Christian Life Church; Located north of 21 Mile and east of the GTWRR. Pastor Andrew J. Fisher, Petitioner. Permanent Parcel No. 08-25-477-005.

Supervisor BRENNAN reviewed the request.

MOTION by MEERSCHAERT seconded by KOEHS to approve the Request for Release of Temporary Occupancy Bond; Christian Life Church; Located north of 21 Mile and east of the GTWRR. Pastor Andrew J. Fisher, Petitioner. Permanent Parcel No. 08-25-477-005.

MOTION carried.

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16. Request for Extension of Time for the Tentative Preliminary Plat; Strathmore Subdivision; Located on the east side of Luchtman Road 1079' feet south of 26 Mile Road. L & C 26 Mile Road Property L.L.C. Petitioner. Permanent Parcel No. 08-04-411-015.

Public Portion: None.

Petitioner: Mike Leone, 54245 Carnation Drive present.

MOTION by DUNN seconded by MALBURG to approve the Request for Extension of Time for the Tentative Preliminary Plat; Strathmore Subdivision; Located on the east side of Luchtman Road 1079' feet south of 26 Mile Road. L & C 26 Mile Road Property L.L.C. Petitioner. Permanent Parcel No. 08-04-411-015. Date to expire March 28, 2004.

MOTION carried.

17. Request for Extension of Time for Tentative Preliminary Plat; The Bluffs of Beaufait Farms Subdivision; Located west of North Avenue and 1/4 mile north of Hall Road. David Weber, Petitioner. Permanent Parcel No. 08-35-401-001 and 002.

Public Portion: None.

Petitioner: Not present.

MOTION by DUNN seconded by MALBURG to approve the Request for Extension of Time for Tentative Preliminary Plat; The Bluffs of Beaufait Farms Subdivision; Located west of North Avenue and 1/4 mile north of Hall Road. David Weber, Petitioner. Permanent Parcel No. 08-35-401-001 and 002. Date to expire May 8, 2004.

MOTION carried.

18. Request four (4) model permits for Emerald Green Subdivision; Located west of Luchtman Road and 1/4 mile south of 26 Mile Road; Section 5.

Supervisor BRENNAN reviewed the request.

Public Portion: None.

MOTION by BUCCI seconded by MALBURG to approve the Request four (4) model permits for Emerald Green Subdivision lots: 62, 63, 64 and 65 ; Located west of Luchtman Road and 1/4 mile south of 26 Mile Road; Section 5.

MOTION carried.

NEW BUSINESS

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19. Request from the Michigan Council of the Knights of Columbus for a Tootsie Roll Drive.

Supervisor BRENNAN indicated that the Township is not authorized in granting the approval of this request. Supervisor BRENNAN stated the request should be directed to the Macomb County Road Commission. No action taken.

Add-On:

- 19a. Request from the Knights of Columbus St. Isidore Council #7200 Macomb, Michigan for a Tootsie Roll Request.

Supervisor BRENNAN again indicated that the Township is not authorized in granting the approval of this request. Supervisor BRENNAN stated the request should be directed to the Macomb County Road Commission. No action taken.

20. Request to Adopt the Resolution and support of the amendment to the House Bill No. 4072.

Supervisor BRENNAN held further discussion reviewing the request.

MOTION by DUNN seconded by KOEHS to approve the Request to Adopt the Resolution and support of the amendment to the House Bill No. 4072 as follows:

Township of Macomb
County of Macomb
State of Michigan

Resolution of the Board of Trustees

At a regular meeting of the Macomb Township Board of Trustees that was called to order by Supervisor John D. Brennan on Wednesday, February 26, 2003 at 7:00P.M. the following resolution as offered:

Whereas: The Macomb Township Board of Trustees believes that improving regional transportation is a worthwhile goal for Macomb Township and the metropolitan Detroit area, and;

Whereas: Metropolitan Detroit and Macomb County are composed of many different regions with unique transportation needs, and;

Whereas: Some regions within Macomb County have mass transportation properties that may be less compatible with the overall needs of the metropolitan Detroit region as a whole, and;

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- Whereas: Regions whose priorities are not served by an overall mass transit plan should not be forced to pay for and participate in a regions plan that is detrimental to their general interests, and;
- Whereas: DARTA legislation that was approved by both houses in the 91st legislature provided for local participation options for regions in Wayne County, but NOT for regions in Macomb County or other counties in the DARTA region, and;
- Whereas: Providing local Macomb County regions with a choice as to whether or not to continue participation in any metropolitan Detroit area mass transit authority plays a vital role in ensuring the establishment of, and continuation of, high quality mass transit services for each local community within the region, and;
- Whereas: Michigan House of Representative bill number 4072 has been amended in committee to allow for regions within the metropolitan Detroit area to remain within a regional mass transit plan only when it sufficiently serves the needs of the community members within that region, be it therefore:
- Resolved: That the Macomb Township Board of Trustees supports the H-4 committee substitute for House Bill 4072 as the proposal that best incorporates all of the diverse mass transit needs within Macomb County and the metropolitan.

MOTION by DUNN seconded by KOEHS that the resolution be considered for approval.

AYES: DUNN, KOEHS, BUCCI, MEERSCHERT, MALBURG, BRENNAN

NAYS: NONE

ABSENT: OLIVER

RESOLUTION DECLARED ADOPTED.

MOTION carried.

21. Request approval to order the Township Hall Sign.

Supervisor BRENNAN held a detailed discussion with the members of the Board. Clerk KOEHS stated that he wanted to thank Mrs. Dunn for all her time put into this project for the Township.

MOTION by KOEHS seconded by MALBURG to approve the color for the Township sign as discussed as green and gold.

MOTION carried.

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MOTION by DUNN seconded by BUCCI to approve one (1) Double sided Sign location for 25 Mile Road and four (4) Single Sided Signs for future locations as discussed.

MOTION carried.

FIRE DEPARTMENT:

22. Request to purchase Diesel Exhaust System.

Tabled per Chief Ahonen's request.

23. Request to purchase five (5) additional Automated External Defibrillators.

Tabled per Chief Ahonen's request.

WATER/SEWER DEPARTMENT:

24. Request to attend the National AWWA Conference

David Koss, Water and Sewer Superintendent reviewed the request. Mr. Koss reviewed with the Board the price ranges depending on destination dates and how very. Mr. Koss stated to keep price at the lowest rate he would need to leave a day early. Mr. Koss stated at his request upon approval he will pay for the additional day for the hotel room. The Board held further discussion with Mr. Koss regarding his request.

MOTION by DUNN seconded by MALBURG to approve the Request for David Koss, Water & Sewer Department Superintendent to attend the National AWWA Conference in Anaheim, California as discussed. The Cost of the Conference and hotel is one thousand two hundred fifty one dollars and 00/100 (\$1,251.00) plus, meals and airfares. Airfares range from two hundred and eighty dollars and 00/100 (\$280.00) to three hundred and fifty dollars and 00/100 (\$350.00) depending on availability.

MOTION carried.

25. Request to purchase filing system equipment.

David Koss, Water and Sewer Superintendent reviewed the request.

MOTION by MALBURG seconded by BUCCI to approve the Request to purchase filing system equipment from Kerr Albert for one thousand (1,000) dividers with the total cost of one thousand six hundred fifty dollars and 00/100 (\$1,650.00) as submitted.

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MOTION carried.

26. Request to post Inspector Positions for the Water & Sewer Department.

David Koss, Water and Sewer Superintendent reviewed the request.

MOTION by MEERSCHAERT seconded by KOEHS to approve the Request to post Inspector Positions for the Water & Sewer Department internally first.

MOTION carried.

27a. Request for authorization for the Purchase Requisitions:
a. SLC Meter Service Inc.

David Koss, Water and Sewer Superintendent reviewed the request.

MOTION by KOEHS seconded by DUNN to approve the Request for authorization for the Purchase Requisitions: a. SLC Meter Service Inc. Total cost of five thousand six hundred and ninety one dollars and 19/100 (\$5,691.19) as submitted.

MOTION carried.

27b. Request for authorization for the Purchase Requisitions:
b. East Jordan Iron Works.

David Koss, Water and Sewer Superintendent reviewed the request.

MOTION by BUCCI seconded by KOEHS to approve the Request for authorization for the Purchase Requisitions: b. East Jordan Iron Works. Total cost of two thousand four hundred eighty seven dollars and 40/100 (\$2,487.40) as submitted.

MOTION carried.

BOARD COMMENTS:

SUPERVISOR COMMENTS:

Add-On:

28. Single garbage waste hauler discussion.

Supervisor BRENNAN reviewed the issues of a single waste hauler for the Township. Mr. BRENNAN held further discussion regarding newspaper articles concerning Township waste hauler issues. Mr. BRENNAN reviewed Shelby Townships long term waste hauler contract. Mr. BRENNAN held further discussion on the litigation

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involving the waste hauler issue with Shelby Township. Larry D'Loski, Township Attorney held further discussion regarding the Shelby Township lawsuit. Mr. BRENNAN stated that Macomb is not in the position to act on a single waste hauler at this time. Trustee DUNN stated that she would like the Trustees to receive updated information on the status of the Shelby Townships lawsuit.

Public Hearing: Edward Gallagher, stated the issues of competition with waste haulers. Supervisor BRENNAN held further discussion with MR. Gallagher addressing his comments.

CLERK COMMENTS:

Clerk KOEHS stated that the Master Plan for the Township is complete. Clerk KOEHS stated a special thanks to the Township Planning Consultants for their time involved with producing the Master Plan. Clerk KOEHS stated that Saturday March 1, 2003 will mark one year as the Township Clerk.

TREASURER COMMENTS:

Marie Malburg, Township Treasurer stated that eighteen thousand tax bills have been taken in for payments at this time and the Treasurers department is doing well.

TRUSTEES COMMENTS:

Trustee MEERSCHAERT questioned Clerk KOEHS on the status concerning the sidewalk issue with township resident Sharon Palazzolo. Clerk KOEHS stated that the matter has been reviewed and the township resident has been notified of the current status. Trustee DUNN wishes Marie Malburg a happy Birthday coming up on February 27, 2003.

EXECUTIVE SESSION:

ADJOURNMENT

MOTION by MEERSCHAERT seconded by MALBURG to adjourn the meeting at 8:37P.M.

MOTION carried.

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Respectfully,

John D. Brennan, Supervisor

Michael D. Koehs, Clerk

Gabrielle M. Baker, Recording Secretary
MDK/gmb